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Date: August 18, 2008 Name: Andrew D. Stover, Reg. No. 38,629 Signature: /Andrew D. Stover/

BRINKS HOFER GILSON &LIONE

Our Case No. 659/1148
K-C Ref. No. 18546

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	
Jerome S. Veith	Examiner: Hand, Melanie Jo
Serial No.: 10/693,555	Group Art Unit No.: 3761
Filing Date: October 24, 2003	Confirmation No.: 3611
For: DISPOSABLE ABSORBENT UNDERGARMENT FOR MALES	

APPELLANTS' BRIEF

MS APPEAL BRIEF - PATENTS
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is an appeal from the Final Rejection dated March 18, 2008 of Claims 1-23. Applicants have provided the following Table of Contents for ease of reference.

TABLE OF CONTENTS

(1) REAL PARTY IN INTEREST

The inventors assigned their interests in the invention to Kimberly-Clark Worldwide, Inc. The real party in interest is Kimberly-Clark Corporation, which is the corporate parent of Kimberly-Clark Worldwide, Inc.

(2) RELATED APPEALS AND INTERFERENCES

There are no known appeals or interferences that will directly affect, be directly affected by, or have a bearing on this appeal.

(3) STATUS OF CLAIMS

Claims 1-23 are presently pending in the above-referenced application. Claims 1-23 (Appendix A) have been rejected and are being appealed.

(4) STATUS OF AMENDMENTS

Applicants filed an Amendment and Response on November 23, 2007. In response, the Examiner entered the Amendment and mailed a Final Office

Action on March 18, 2008. Accordingly, the rejected claims (Appendix A) are in the form as amended in the Amendment filed November 23, 2007.

(5) SUMMARY OF CLAIMED SUBJECT MATTER

Absorbent garments are typically configured with an absorbent material that is positioned and sized to receive both urine and feces (Specification at 1, lines 7-9). As such, incontinence garments typically are not designed specifically for male users, and in particular, male users concerned primarily with urinary incontinence (Specification at 1, lines 6-8).

One solution for problems associated with male incontinence is to provide an absorbent product that is held close to the male user's body with conventional, non-disposable underwear (Specification at 1, lines 16-18). Such devices can be difficult to use with immobilized or bed-ridden users, however, where the application and removal of conventional underwear is made more difficult (Specification at 1, lines 18-20). In addition, conventional underwear can be easily soiled, and the various layers may provide a bulky appearance and reduce the overall comfort of the user (Specification at 1, lines 22-26).

With reference to independent claim 1, a disposable absorbent garment includes a body chassis having a terminal front waist edge 20, a terminal back waist edge 28 longitudinally spaced from the terminal front waist edge, a first length (L1) defined between the terminal front waist edge and the terminal back waist edge, and a laterally extending centerline 113

defined half way between the terminal front and back waist edges 20, 28 (Specification at 22, lines 26-31; FIG. 1). The body chassis 4, 6, 202 is formed from a laminate structure having a plurality of layers 204, 206, wherein all of the layers have the same length such that a thickness of the body chassis is the same along the length of the layers (Specification at 6, lines 8-23; FIGS. 1, 3 and 4; at 8, lines 18-21; at 10, lines 8-14; FIG. 6).

An absorbent insert 50 is fixedly secured to the body chassis (Specification at 12, line 30 to 13, line 2; FIGS. 1 and 4-6). The absorbent insert includes a retention region 119 having an absorbent material (Specification at 13, lines 23-30; at 22, lines 31-32; FIGS. 1, 5 and 6). The retention region has first and second longitudinally spaced boundaries 115, 117 and a second length (L2) defined between the first and second boundaries (Specification at 23, lines 1-3). The second length (L2) is less than or equal to 50% of the first length (L1), and at least 70% of the second length (L2) is positioned between the centerline 113 and the terminal front waist edge 20 (Specification at 23, lines 3-5; FIG. 1). Moreover, there is no absorbent material disposed longitudinally outside of the retention region defined between the first and second boundaries (Specification at 23, lines 6-10; FIG. 1).

With reference to independent claim 6, the absorbent material includes a superabsorbent material, and the retention portion has a density between about 0.10 gm/cc and about 0.50 gm/cc (Specification at 20, lines 22-24).

With reference to independent claim 11, a disposable absorbent garment includes a front body panel 4 having a terminal waist edge 20 and a terminal crotch edge 14 and a rear body panel 6 having a terminal waist edge 28 and a terminal crotch edge 22 (Specification at 4, line 29 to 5, line 4; FIG. 1). The terminal crotch edge 22 of the rear body panel is longitudinally spaced from and forms a gap with the terminal crotch edge 14 of the front body panel (FIG. 1). A first length (L1) is defined between the terminal waist edge 20 of the front body panel and the terminal waist edge 28 of the rear body panel (Specification at 22, lines 26-31; FIG. 1). A laterally extending centerline 113 is defined half way between the terminal waist edges 20, 28 of the front and rear body panels (Specification at 22, lines 29-31; FIG. 1). An absorbent insert 50 includes first and second longitudinally spaced end portions 102, 104 each having a terminal edge 60, 62 and opposite laterally spaced side edges (Specification at 13, lines 7-15; FIG. 1). The absorbent insert bridges the gap between the front and rear body panels with the first and second end portions 102, 104 overlying and connected to the front and rear body panels 4, 6 respectively (Specification at 13, lines 11-15; FIG. 1). The terminal edges of the first and second end portions 60, 62 are longitudinally spaced from the terminal waist edges 20, 28 of the front and rear body panels respectively (FIG. 1). The terminal edges 60, 62 of the first and second end portions are longitudinally spaced from the terminal crotch edges 14, 22 of the front and rear body panels respectively (FIG. 1). The absorbent insert includes a

retention member 10 formed from an absorbent material (Specification at 22, lines 31-32). The retention member has first and second longitudinally spaced ends and a second length defined between the first and second ends 115, 117 (Specification at 23, lines 1-2; FIG. 1). At least 70% of the second length (L2) is positioned between the centerline 113 and the terminal waist edge 20 of the front body panel 4 (Specification at 23, lines 3-5; FIG. 1). There is no absorbent material disposed longitudinally outside of the retention region defined between the first and second boundaries (Specification at 6-9).

With reference to claim 17, a method of assembling a disposable absorbent garment includes providing a body chassis having a terminal front waist edge 20, a terminal back waist edge 28 longitudinally spaced from the terminal front waist edge, a first length (L1) defined between the terminal front waist edge and the terminal back waist edge, and a laterally extending centerline 113 defined half way between the terminal front and back waist edges 20, 28 (Specification at 22, lines 26-31; FIG. 1). The body chassis 4, 6, 202 is formed from a laminate structure having a plurality of layers 204, 206, wherein all of the layers have the same length such that a thickness of the body chassis is the same along the length of the layers (Specification at 6, lines 8-23; FIGS. 1, 3 and 4; at 8, lines 18-21; at 10, lines 8-14; FIG. 6).

The method further includes fixedly securing an absorbent insert 50 to the body chassis (Specification at 12, line 30 to 13, line 2; FIGS. 1 and 4-6). The absorbent insert includes a retention region 119 having an absorbent

material (Specification at 13, lines 23-30; at 22, lines 31-32; FIGS. 1, 5 and 6). The retention region has first and second longitudinally spaced boundaries 115, 117 and a second length (L2) defined between the first and second boundaries (Specification at 23, lines 1-3). The second length (L2) is less than or equal to 50% of the first length (L1), and at least 70% of the second length (L2) is positioned between the centerline 113 and the terminal front waist edge 20 (Specification at 23, lines 3-5; FIG. 1). Moreover, there is no absorbent material disposed longitudinally outside of the retention region defined between the first and second boundaries (Specification at 23, lines 6-10; FIG. 1).

With reference to claim 20, a method of assembling a disposable absorbent garment includes providing a body chassis including a front body panel 4 having the terminal front waist edge 20 and a terminal crotch edge 14 longitudinally spaced from the terminal front waist edge (Specification at 4, lines 22-31; FIG. 1). A rear body panel 6 includes the terminal back waist edge 28 and a terminal crotch edge 22 longitudinally spaced from the terminal back waist edge (Specification at 5, lines 1-4; FIG. 1). The terminal crotch edges 14, 22 of the front and rear body panels are longitudinally spaced to form a gap therebetween (FIG. 1). The absorbent insert 50 is fixedly secured to the body chassis by bridging the gap between the front and rear body panels such that first and second end portions 102, 104 overlie the front and rear body panels respectively (Specification at 13, lines 7-15; FIG. 1). The method

further includes fixedly securing the first and second end portions 102, 104 to the front and rear body panels respectively with the terminal edges 60, 62 of the first and second end portions longitudinally spaced from the terminal waist edges 20, 28 of the front and rear body panels respectively and with the terminal edges 60, 62 of the first and second end portions longitudinally spaced from the terminal crotch edges 14, 22 of the front and rear body panels respectively (FIG. 1).

The various aspects of Applicant's invention provide significant advantages over other disposable undergarments and methods. For example and without limitation, the forward positioning and smaller size (e.g., smaller length) of the retention region is ideally suited for male incontinence needs (Specification at 2, lines 13-16; at 23, lines 13-20). Moreover, due to the specific positioning of the absorbent insert, the proportion of absorbent material relative to the overall size of the undergarment can be reduced, resulting in substantial material cost savings (*id.*). In addition, the undergarment is less bulky in the central and rear regions, thereby providing improved fit, comfort and appearance for male users (*id.*).

(6) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1-10, 12 and 17-23 are unpatentable under 35 USC 103 as being made obvious over U.S. Patent No. 6,217,563 to Van Gompel in view of U.S. Patent No. 6,437,214 to Everett.

Whether claims 11 and 13-16 are unpatentable under 35 USC 103 as being made obvious over U.S. Patent No. 6,217,563 to Van Gompel in view of U.S. Patent No. 6,437,214 to Everett.

(7) ARGUMENT

A. CLAIMS 1-10, 12 AND 17-23 ARE NOT OBVIOUS OVER VAN GOMPEL IN VIEW OF EVERETT

At the outset, Applicants note that the Examiner has previously stated that "Applicant's arguments . . . filed November 21, 2006, with respect to the rejection(s) of claim(s) 1-23 under 35 U.S.C. 103 [in view of Van Gompel] have been fully considered and are *persuasive*" (February 16, 2007 Office Action at 2) (emphasis added). In addition, the Examiner previously withdrew rejections over Van Gompel in view of USP 6,720,471 to Arndt (and others), stating that Applicants arguments had been "fully considered and are persuasive" (August 23, 2007 Office Action at 2). Applicants respectfully submit that Everett, now cited in combination with Van Gompel, exhibits at least the same deficiencies as Arndt. Accordingly, under the Examiner's own reasoning, the present rejections also should be reversed, as further explained below.

Independent claim 1 recites that "at least 70% of said second length [of a retention region defined between first and second longitudinally spaced boundaries] is positioned between said centerline and said terminal front waist edge [of said body chassis], and wherein there is *no absorbent material*

disposed longitudinally outside of said retention region defined between said first and second boundaries." Claims 6, 12, 17 and 20 recite similar language. In addition, claims 1, 6, 12, 17 and 20 each recite that the "second length is *less than* or equal *to 50 % of said first length*" defined between the terminal front and back waist edges of the body chassis. Applicants submit that the Examiner has failed to make out a prima facie case of obviousness for at least two reasons – (1) there is no reason that one of ordinary skill in the art would modify Van Gompel in view of Everett as asserted and (2) even if modified, not all of the recitations of the claims are disclosed (see MPEP 2143).

Applicants note that the Examiner has acknowledged that "Van Gompel does not explicitly teach that said second length is less than or equal to 50% of said first length," or that "at least 70% of said second length is positioned between said centerline and said terminal front waist edge" (March 18, 2008 Office Action at 4-5). Instead, the Examiner refers to Everett, and focuses on a "primary absorbent layer 48," and an "intake, target area 52" (March 18, 2008 Office Action at 4-5), which the Examiner asserts as the "retention region."

Such an interpretation of Everett ignores the recitation in independent claims 1, 6, 11, 17 and 20 that "there is no absorbent material disposed longitudinally outside of said retention region defined between said first and second boundaries." Everett expressly discloses that the *absorbent* core 30 has an "overall length 66," which is defined by a second layer 50 (Everett at Col.

8, lines 18-50; Col. 14, line 24-30; Cols. 14-28 generally; FIGS. 1A-9) . The second layer 50 is used to "efficiently distribute and move liquid out from the target area of the absorbent composite" and includes an absorbent material (Everett at Col. 9, line 57 to Col. 10, line 6; Cols. 14-28). Therefore, the "retention region" of Everett is not limited to the target area 52, since clearly the absorbent material of layer 50 extends longitudinally well beyond any boundaries of that area 52 (*see, e.g.,* Everett at FIGS. 1 and 1B).

Conversely, even a cursory review of Everett reveals that the overall length 66 of the absorbent material of layer 50, and the overall absorbent core 30, extends nearly the entire length of the overall garment, and is not close to being only 50% thereof as recited in claims 1, 6, 17 and 20 (Everett at FIGS. 1 and 1B). Similarly, the length of the absorbent material of layer 50 is not close to having 70% thereof positioned between a centerline and the terminal front waist edge of the garment. Rather, the overall *absorbent* length approaches 100% of the article length, and appears to be *centered* lengthwise about a laterally extending centerline! Accordingly, even if combined with Van Gompel, Everett does not supply the deficiencies thereof. For at least these reasons, the outstanding rejections over Van Gompel and Everett should be reversed.

Applicants also respectfully submit that there is no teaching or suggestion, or any other reason to try, to shift the overall position of, or reduce the size of, the absorbent core of either Everett or Van Gompel. Indeed, there

simply is no room to shift the overall absorbent core 30 of Everett forward (*see* FIGS. 1 and 1B). Likewise, there is no room to shift the retention portion 48 of Van Gompel, as such a shift would move the retention portion 48 beyond the front waist edge 61 of the front body panel 53 (see Van Gompel at FIG. 1). Accordingly, both references, even if combined, fail to disclose or suggest the recited recitations of Applicant's claims. Accordingly, Applicants respectfully submit that the Examiner's rejections should be withdrawn for this additional reason.

Finally, the Examiner asserts that Applicants have attacked the Van Gompel and Everett references individually, and then argues that Van Gompel already taught the limitation of there being no absorbent material disposed outside of the retention region defined between first and second boundaries (March 18, 2008 Office Action at 2). Such reasoning ignores black letter law that each "prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984); *see also MPEP 2141.02*.

As expressly acknowledged by the Examiner, Van Gompel does ***not*** teach the 50% size limitation, or the 70% positioning limitation that define the retention region (March 18, 2008 Office Action at 4-5). Instead, the Examiner relies entirely on Everett for those teachings, asserting that Everett teaches specific dimensions and relative positioning for first and second boundaries of

an intake region (*id.* at 2). Such an assertion ignores the teachings of Everett as a whole, as well as ignoring Applicant's claimed invention as a whole (MPEP 2141.02).

Specifically, Applicant has devised an undergarment wherein the *entirety* of the retention region is sized and shifted so as to reduce overall material costs while increasing comfort and eliminating a bulky appearance. In contrast, Everett is directed to a "Layered Absorbent Structure" wherein the "absorbent layers interact in such a manner which preferentially locates absorbed liquid in an appointed, high saturation wicking layer" (Everett, *see* Title and Abstract). Indeed, the entire premise of Everett is directed to a multiple layer absorbent structure having a first intake layer and a second saturation layer, which work in combination (*see* Everett). Therefore, it is improper for the Examiner to selectively refer to one layer or region of Everett, and its defined size and positioning, while ignoring the teachings of Everett as a whole.

When considered in its entirety, it is clear that Everett does not disclose or suggest that the target area 52 is the only area of retention. Indeed, target area 52 is only the "intended intake" area, from which fluids are quickly evacuated to other high saturation, wicking layers (Everett at Abstract; at Col. 1, line 61 to Col. 2, line 67). Therefore, one of ordinary skill in the art would not be led to modify Van Gompel to size and position the retention portion 48 to correspond to *only* the intake region 52 of Everett in the absence of another

high saturation layer that includes an absorbent material. Rather, Everett teaches using an intake region in combination with another saturation layer. When such a layer is present, however, both Van Gompel and Everett fail to disclose or suggest a size and positioning thereof as recited in the pending claims (as admitted by the Examiner with respect to Van Gompel (March 18, 2008 Office Action at 4-5)). Accordingly, the Examiner's rejections should be reversed.

B. CLAIMS 11 and 13-16 ARE NOT OBVIOUS OVER VAN GOMPEL IN VIEW OF EVERETT

Independent claim 11 recites that "at least 70% of said second length [of a retention region defined between first and second longitudinally spaced boundaries] is positioned between said centerline and said terminal front waist edge [of said body chassis], and wherein there is *no absorbent material disposed longitudinally outside of said retention region defined between said first and second boundaries*." Claim 11 does not recite, however, that the second length is less than or equal to 50% of the first length. Nonetheless, for the reasons set forth above with respect to the positioning of the retention region alone, Applicant submits that claims 11 and 13-16 are patentable over Van Gompel in view of Everett, and notice to that effect is earnestly solicited.

(8) CONCLUSION

The cited references do not provide a valid basis for any rejection of the presently appealed claims. Accordingly, Appellants submit that the

present inventions are fully patentable over the cited references, and the Examiner's rejections should be REVERSED.

Respectfully submitted,

August 18, 2008

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APPENDIX A

The claims at issue in this appeal are as follows:

1. A disposable absorbent garment comprising:

a body chassis having a terminal front waist edge, a terminal back waist edge longitudinally spaced from said terminal front waist edge, a first length defined between said terminal front waist edge and said terminal back waist edge, and a laterally extending centerline defined half way between said terminal front and back waist edges, wherein said body chassis is formed from a laminate structure having a plurality of layers, wherein all of said layers have the same length such that a thickness of said body chassis is the same along said length of said layers; and

an absorbent insert fixedly secured to said body chassis, said absorbent insert comprising a retention region comprising an absorbent material, said retention region having first and second longitudinally spaced boundaries and a second length defined between said first and second boundaries, wherein said second length is less than or equal to 50% of said first length, wherein at least 70% of said second length is positioned between said centerline and said terminal front waist edge, and wherein there is no absorbent material disposed longitudinally outside of said retention region defined between said first and second boundaries.

2. The disposable absorbent garment of claim 1 wherein said absorbent insert comprises a single retention member defining said retention region, said retention member having first and second ends corresponding to said first and second boundaries.

3. The disposable absorbent garment of claim 1 wherein said absorbent material comprises a superabsorbent material.

4. The disposable absorbent garment of claim 3 wherein said superabsorbent material forms at least 20% of the absorbent material by weight.

5. The disposable absorbent garment of claim 3 wherein said superabsorbent material has a centrifuge retention capacity of at least 20 grams liquid per gram weight of superabsorbent material.

6. A disposable absorbent garment comprising:

a body chassis having a terminal front waist edge, a terminal back waist edge longitudinally spaced from said terminal front waist edge, a first length defined between said terminal front waist edge and said terminal back waist edge, and a laterally extending centerline defined half way between said terminal front and back waist edges, wherein said body chassis is formed from a laminate structure having a plurality of layers, wherein all of said layers have the same length such that a thickness of said body chassis is the same along said length of said layers; and

an absorbent insert fixedly secured to said body chassis, said absorbent insert comprising a retention region comprising an absorbent material, wherein said absorbent material comprises a superabsorbent material, said retention region having first and second longitudinally spaced boundaries and a second length defined between said first and second boundaries, wherein said second length is less than or equal to 50% of said first length, wherein at least 70% of said second length is positioned between said centerline and said terminal front waist edge, wherein there is no absorbent material disposed longitudinally outside of said retention region defined between said first and second boundaries, and wherein said retention portion has a density between about 0.10 gm/cc and about 0.50 gm/cc.

7. The disposable absorbent garment of claim 1 wherein said body chassis comprises a front body panel comprising said terminal front waist edge and a terminal crotch edge longitudinally spaced from said terminal front waist edge, and a rear body panel comprising said terminal back waist edge and a terminal crotch edge longitudinally spaced from said terminal back waist edge, said terminal crotch edges of said front and rear body panels being longitudinally spaced to form a gap therebetween, and wherein said absorbent insert comprises first and second longitudinally spaced end portions and opposite laterally spaced side edges, wherein said absorbent insert bridges said gap between said front and rear body panels with said first and second end portions overlying and connected to said front and rear body panels respectively.

8. The disposable absorbent garment of claim 1 wherein said body chassis comprises a non-woven material.

9. The disposable absorbent garment of claim 8 wherein said body chassis further comprises an elastic material, wherein said body chassis is stretchable in at least a lateral direction.

10. The disposable absorbent garment of claim 1 further comprising at least a pair of fasteners positioned at one end of said body chassis on opposite sides thereof, wherein said at least said pair of fasteners releasably engages an opposite end of said body chassis on said opposite sides thereof with a pair of leg openings being defined at least in part by said body chassis.

11. A disposable absorbent garment comprising:

a front body panel comprising a terminal waist edge and a terminal crotch edge;

a rear body panel comprising a terminal waist edge and a terminal crotch edge, wherein said terminal crotch edge of said rear body panel is longitudinally spaced from and forms a gap with said terminal crotch edge of said front body panel, and wherein a first length is defined between said terminal waist edge of said front body panel and said terminal waist edge of said rear body panel, and wherein a laterally extending centerline is defined half way between said terminal waist edges of said front and rear body panels; and

an absorbent insert comprising first and second longitudinally spaced end portions each having a terminal edge and opposite laterally spaced side edges, wherein said absorbent insert bridges said gap between said front and rear body panels with said first and second end portions overlying and connected to said front and rear body panels respectively and with said terminal edges of said first and second end portions longitudinally spaced from said terminal waist edges of said front and rear body panels respectively and with said terminal edges of said first and second end portions longitudinally spaced from said terminal crotch edges of said front and rear body panels respectively, said absorbent insert comprising a retention member formed from an absorbent material, said retention member having first and second longitudinally spaced ends and a second length defined between said first and second ends, wherein at least 70% of said second length is positioned between said centerline and said terminal waist edge of said front body panel, and wherein there is no absorbent material disposed longitudinally outside of said retention region defined between said first and second boundaries.

12. The disposable absorbent garment of claim 11 wherein said second length is less than or equal to 50% of said first length.

13. The disposable absorbent garment of claim 11 wherein said absorbent material comprises at least 20% superabsorbent material by weight.

14. The disposable absorbent garment of claim 11 wherein each of said front and rear body panels comprises a non-woven material.

15. The disposable absorbent garment of claim 14 wherein each of said front and rear body panels further comprises an elastic material, wherein each of said front and rear body panels are stretchable in at least a lateral direction.

16. The disposable absorbent garment of claim 11 further comprising at least a pair of fasteners connected to one of said front and rear body panels, wherein said at least said pair of fasteners releasably engages the other of said front and rear body panels.

17. A method of assembling a disposable absorbent garment comprising:

providing a body chassis having a terminal front waist edge, a terminal back waist edge longitudinally spaced from said terminal front waist edge, a first length defined between said terminal front waist edge and said terminal back waist edge, and a laterally extending centerline defined half way between said terminal front and back waist edge, wherein said body chassis is formed from a laminate structure having a plurality of layers, wherein all of said layers have the same length such that a thickness of said body chassis is the same along said length of said layers; and

fixedly securing an absorbent insert to said body chassis, wherein said absorbent insert comprising a retention region comprising an absorbent material, said retention region having first and second longitudinally spaced boundaries and a second length defined between said first and second boundaries, wherein said second length is less than or equal to 50% of said

first length, wherein at least 70% of said second length is positioned between said centerline and said terminal front waist edge, and wherein there is no absorbent material disposed outside of said retention region defined between said first and second boundaries.

18. The method of claim 17 wherein said absorbent insert comprises a single retention member defining said retention region, said retention member having first and second ends corresponding to said first and second boundaries.

19. The method of claim 17 wherein said absorbent material has at least 20% superabsorbent material by weight.

20. A method of assembling a disposable absorbent garment comprising:

providing a body chassis having a terminal front waist edge, a terminal back waist edge longitudinally spaced from said terminal front waist edge, a first length defined between said terminal front waist edge and said terminal back waist edge, and a laterally extending centerline defined half way between said terminal front and back waist edge; and

fixedly securing an absorbent insert to said body chassis, wherein said absorbent insert comprising a retention region comprising an absorbent material, said retention region having first and second longitudinally spaced boundaries and a second length defined between said first and second boundaries, wherein said second length is less than or equal to 50% of said first length, wherein at least 70% of said second length is positioned between said centerline and said terminal front waist edge, and wherein there is no absorbent material disposed outside of said retention region defined between said first and second boundaries;

wherein said body chassis comprises a front body panel comprising said terminal front waist edge and a terminal crotch edge longitudinally spaced

from said terminal front waist edge, and a rear body panel comprising said terminal back waist edge and a terminal crotch edge longitudinally spaced from said terminal back waist edge, said terminal crotch edges of said front and rear body panels being longitudinally spaced to form a gap therebetween, and wherein said absorbent insert comprises first and second longitudinally spaced end portions each having a terminal edge and opposite laterally spaced side edges, and wherein said fixedly securing said absorbent insert to said body chassis comprises bridging said gap between said front and rear body panels with absorbent insert wherein said first and second end portions overlie said front and rear body panels respectively, and fixedly securing said first and second end portions to said front and rear body panels respectively with said terminal edges of said first and second end portions longitudinally spaced from said terminal waist edges of said front and rear body panels respectively and with said terminal edges of said first and second end portions longitudinally spaced from said terminal crotch edges of said front and rear body panels respectively.

21. The method of claim 17 wherein said body chassis comprises a non-woven material.

22. The method of claim 21 wherein said body chassis further comprises an elastic material, wherein said body chassis is stretchable in at least a lateral direction.

23. The method of claim 17 further comprising providing at least a pair of fasteners positioned at one end of said body chassis on opposite sides thereof, wherein said at least said pair of fasteners are releasably engageable with an opposite end of said body chassis on said opposite sides thereof.

APPENDIX B (EVIDENCE APPENDIX)

NONE

APPENDIX C (RELATED PROCEEDINGS APPENDIX)

NONE